

2408-2013
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GRANT OF EASEMENT

This **EASEMENT** is made and entered into this 22nd day of January, 2014, by and between **SCOTTY BAESLER and ALICE DUDLEY BAESLER**, husband and wife, 250 Canebrake Drive, Lexington, Kentucky 40509 ("Grantors"), which is also the in-care of tax mailing address for the current tax year, and the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507 ("Grantee");

WITNESSETH:

That for and in consideration of the sum of **Two Thousand Four Hundred Seventy-Five Dollars and 00/100 Cents (\$2,475.00)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantors have **BARGAINED** and **SOLD** and do hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors and assigns, the permanent right to lay, construct, operate, repair, reconstruct and remove sanitary sewer improvements and appurtenances thereto, which sanitary sewer improvements and appurtenances shall be of such dimension, character, construction and use determined by Grantee, along, through, under and across the following tract of land located in the confines of Lexington-Fayette County, Kentucky, and more particularly described as follows:

Permanent Force Main Easement
(A Portion of 250 Canebrake Drive)
Blue Sky Force Main
Sanitary Sewer Improvement Project

Described on Exhibit A attached hereto and incorporated herein by reference.

FURTHER, for and in consideration of the foregoing sum, the receipt and sufficiency of which is hereby acknowledged, Grantors have **BARGAINED** and **SOLD** and do hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors and assigns, the temporary right to excavate, grade, construct, alter, regrade and perform related work for the purpose of sanitary sewer construction, repair, installation and relocation through and across the following tract of land located within the confines of Lexington-Fayette County,

Kentucky, to-wit:

Temporary Construction Easement CE-1
(A Portion of 250 Canebrake Drive)
Blue Sky Force Main
Sanitary Sewer Improvement Project

All temporary construction easements, if any, are described on Exhibit B attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the above-described easement together with all rights, privileges, appurtenances and improvements thereunto belonging unto Grantee, its successors and assigns forever, for the purposes and uses herein designated.

The above-described temporary construction easement will expire upon completion of the construction of the improvement project on the land adjacent to this easement, runs with the land for the duration of the improvement project on the adjacent land, and is binding upon the heirs and assigns of the Grantors.

Grantors do hereby covenant to and with said Grantee, its successors and assigns forever, that they are lawfully seized in fee simple of said property and have good right to sell and convey the easements conveyed herein, and that they will **WARRANT GENERALLY** said title.

Grantors shall have the full right to use the surface of the land lying over said permanent easement for any purpose desired, provided such use will not interfere with the Grantee's free use of the easement herein granted and provided further that no building or structure shall be erected upon, across, over or through said permanent easement without the prior written consent of the Grantee.

The obtaining of this easement was authorized by Resolution No. 408-2013 passed by the Lexington-Fayette Urban County Council on July 9, 2013. Pursuant to KRS 382.135(2)(a), this public utility easement is exempt from the requirements related to certificate of consideration. This conveyance is exempt from real estate transfer tax pursuant to KRS 142.050.

EXHIBIT A

FORCE MAIN PERMANENT EASEMENT PE-1
(a portion of 250 Canebrake Drive)
Blue Sky Force Main
Sanitary Sewer Improvement Project

Beginning at a point in the Grantors' east property line N00°34'54"W, 3.22 feet from the Grantors' southeast property corner;
Thence, leaving said property line, N82°55'24"W, 38.51 feet;
Thence, N82°03'39"W, 336.70 feet;
Thence, N79°03'10"W, 76.45 feet to the Grantors' west property line;
Thence, with said property line N05°03'49"W, 15.61 feet;
Thence, leaving said property line, S79°03'10"E, 80.36 feet;
Thence, S82°03'39"E, 336.19 feet;
Thence, S82°55'24"E, 36.38 feet to the Grantors' west property line;
Thence, with said property line, S00°34'54"E, 15.13 feet
to the Point of Beginning and containing 6784 square feet, 0.156 acres.

Being a part of that property conveyed to Alice Dudley Baesler, a married person, by deed dated October 23, 2006 in Deed Book 2684, Page 171, in the Fayette County Clerk's office.

EXHIBIT B

TEMPORARY CONSTRUCTION EASEMENT CE-1

(a portion of 250 Canebrake Drive)

Blue Sky Force Main

Sanitary Sewer Improvement Project

A fifteen foot wide Temporary Construction Easement north of and adjoining the fifteen foot wide Permanent Force Main Easement along its north side and described as follows:

Beginning at the northeast corner of the permanent force main easement;

Thence, N82°55'24"W, 36.38 feet;

Thence, N82°03'39"W, 336.19 feet;

Thence, N79°03'10"W, 80.36 feet to the Grantors' west property line;

Thence, with said west property line, N05°03'49"W, 31.21 feet;

Thence, leaving said property line S79°03'10"E, 88.18 feet;

Thence, S82°03'39"E, 335.18 feet;

Thence, S82°55'24"E, 32.12 feet to said east property line;

Thence, with said property line, S00°34'54"E, 30.27 feet to the Point of Beginning and containing 13626 square feet, 0.313 acres.

Being a part of that property conveyed to Alice Dudley Baesler, a married person, by deed dated October 23, 2006 in Deed Book 2684, Page 171, in the Fayette County Clerk's office.

I, Donald W Blevins Jr, County Court Clerk
of Fayette County, Kentucky, hereby
certify that the foregoing instrument
has been duly recorded in my office.



By: DOUG BRADLEY ,dc

201401270199

January 27, 2014 15:06:02 PM

Fees	\$23.00	Tax	\$0.00
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Total Paid	\$23.00
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Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Jim Gray
Mayor

Janet M. Graham
Commissioner

To: Meredith Nelson, Council Clerk
Council Clerk's Office

From: Department of Law

Date: February 05, 2014

Re: Easements and Asset Acquisition Forms
(200, 201, 250, 251, and 5676 Canebrake Drive;
3997, 3952, 3956, 3825, 3805, 3758, and 3896 Branham Park;
and 3973 Tatton Place)
Log No. 13-RE0641

Enclosed are the original recorded easements conveying permanent easements across the above-referenced properties to the Urban County Government for the Blue Sky Force Main Sanitary Sewer Improvement Project. Please file the easements with the authorizing legislation, Resolution No. 408-2013.

Also enclosed are the completed Asset Acquisition forms for the properties. After you have signed and dated the forms, please forward them to Kim Bryan in the Department of Finance.

If you have any questions, please let me know.

Keith Horn
Managing Attorney

Enclosures

cc: Kim Bryan, Department of Finance
Beth Florence, Department of Finance

VariousProperties(Memo to Nelson)/00426093